

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
VIBERT JONES,

Plaintiff,

-against-

MEMORANDUM & ORDER  
08-CV-5215 (JS)(ARL)

INDYMAC FEDERAL BANK, INDYMAC  
FEDERAL BANK LOAN MITIGATION  
DEPARTMENT, INDYMAC FEDERAL BANK  
HOME LOAN SERVICING,

Defendants.

-----X  
APPEARANCES:

For Plaintiff: Vibert Jones, pro se  
140 Dikeman Street  
Hempstead, NY 11550

For Defendants: No appearance

SEYBERT, District Judge:

Vibert Jones ("Plaintiff") filed the instant action pro se against IndyMac Federal Bank, IndyMac Federal Bank Loan Mitigation Dept., IndyMac Federal Bank Home Loan Servicing (collectively "Defendants") challenging the refinancing of his mortgage for real property. On March 31, 2009, this Court issued an Order granting Plaintiff's application to proceed in forma pauperis, and dismissed the Complaint with leave to amend. On May 8, 2009, Plaintiff filed his Amended Complaint.

Accordingly, the United States Marshal Service is directed to serve copies of the Summons, Amended Complaint, and this Order upon Defendants without Plaintiff's payment therefor;

however, unpaid fees are recoverable if this action terminates by monetary award in Plaintiff's favor.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York  
July 17, 2009